

# **MALI 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Mali has an unelected transition government following a 2020 military coup d'état that upended a constitutional democratic system. The country last held presidential elections in 2018, re-electing the late Ibrahim Boubacar Keita in elections international observers considered minimally credible despite some irregularities. Following the 2020 coup, a brief period of military rule was followed by a civilian-led transition government. In May 2021, the transition government was overthrown by the military. In June 2021, Assimi Goita, one of the 2020 coup leaders and the former transition vice president, was sworn in as transition president. Repeatedly delayed parliamentary elections were held in 2020, followed by manipulation of results by the Constitutional Court in a process observers regarded as flawed and undemocratic. Former President Keita dissolved parliament later in 2020, and it was replaced by an unelected National Transition Council.

The National Police has responsibility for law enforcement and maintenance of order in urban areas and supports the armed forces in internal military operations. The National Gendarmerie has responsibility in rural areas, including a specialized border security unit. The National Guard and the Malian Armed Forces occasionally perform law enforcement duties in areas where police and gendarmes were absent. The National Police reports to the Ministry of Security and Civil Protection and the Ministry of Defense. The Malian Armed Forces, the National Gendarmerie, and the National Guard fall administratively under the Ministry of Defense. Operational control of the National Guard and National Gendarmerie is shared between the Ministry of Defense and the Ministry of Security and Civil Protection. The country's intelligence service has authority to investigate any case and temporarily detain persons at the discretion of its director general, who reports directly to the president. Civilian authorities did not always maintain effective control over civilian and military security forces. There were reports members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary

killings, including extrajudicial killings; forced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by government forces; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including unlawful and widespread civilian deaths or harm, and unlawful recruitment and use of child soldiers by nonstate armed groups allied with the government; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests of journalists, censorship, and enforcement of criminal libel and slander laws; inability of citizens to change their government peacefully through free and fair elections; serious government corruption; lack of investigation of and accountability for gender-based violence, including domestic and intimate partner violence, sexual violence, child, early, and forced marriage, female genital mutilation/cutting, and other forms of such violence; crimes involving violence or threats of violence targeting members of national and ethnic groups; trafficking in persons; vaguely worded laws criminalizing consensual same-sex sexual conduct between adults, although not enforced; and existence of the worst forms of child labor.

With occasional notable exceptions, the transition government made little effort to investigate, prosecute, or punish government officials who committed abuses, whether in the security forces or elsewhere in the transition government. The transition government made some efforts to address corruption. Impunity for serious crimes committed in the country's northern and central regions continued with few exceptions, in view of the transition government's lack of control of 80 percent of the national territory. The transition government rarely investigated cases related to killings, forced disappearances, or other serious human rights abuses, and those it did rarely moved beyond an investigative phase.

Nonstate armed groups, including several signatories to the 2015 Algiers Accord for Peace and Reconciliation in Mali (Algiers Accord), committed serious human rights abuses, including summary executions, torture, and the unlawful recruitment and use of child soldiers. Wagner Group forces, often operating in close coordination with the Malian Armed Forces, allegedly committed unlawful killings, rapes, and other abuses. Terrorist groups kidnapped and killed civilians,

including humanitarian workers. Ethnic militias, formed to defend one ethnic group from other ethnic groups or other armed groups, committed serious human rights abuses, including summary executions, and destroyed homes and food stores. Government investigations and prosecutions were rare because civilian and military officials lacked the political will to investigate, and most abuses occurred in areas the transition government did not control.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous and increasing reports the transition government or its agents, including associated Wagner Group forces, committed arbitrary or unlawful killings (see section 1.g.) as military operations intensified in central areas of the country. The gendarmerie is responsible for conducting initial investigations into security force abuses. Cases are then transferred to the Ministry of Justice for investigations of alleged police violence, or to the Ministry of Defense's military tribunal for investigations of alleged military abuses. Depending on the infraction and the capacity of the military tribunal, the Ministry of Justice may process some cases related to military abuses.

As of October 3, the UN secretary general documented attacks against civilians by all parties during the year that resulted in the killing of 908 civilians. Reports of civilian killings by the Malian Armed Forces increased exponentially. The United Nation's Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)'s Human Rights and Protection Division (HRPD) in May, August, and November documented 1 103 civilians killed since January 1, a 230 percent increase over the previous nine months. Of these killings, security forces were reportedly responsible for 435, an eight-fold increase over the previous nine months.

In April, Human Rights Watch (HRW) documented the armed forces and "associated foreign soldiers," identified by several sources as Russians, summarily executed between March 27 and March 31 an estimated 300 civilian men, some of them suspected Islamist fighters, in the central town of Moura (see section 1.g.).

On April 20, MINUSMA's HRPD reported the armed forces and "foreign military personnel" killed at least 50 civilians in Hombori (see section 1.g.).

On April 21, the French army announced they had captured images of several corpses near an armed forces base in Gossi; this base had been transferred to the armed forces from France's Operation Barkhane on April 19. On April 26, the transition government accused France of espionage and of attempting to tarnish the armed forces' image by publishing the images. The transition government announced the Ministry of Defense had opened an investigation into the incident and claimed the presence of 14 corpses at the Gossi military base since April 17. MINUSMA's HRPD reported the bodies came from Hombori and were transported there on April 20.

On April 24, after a complex attack attributed to Jama'at Nusrat al-Islam wal Muslimin (JNIM), a soldier summarily executed 20 of 27 prisoners detained at the armed forces camp in Hombori. The transition government subsequently opened an investigation into the incident at its military tribunal in Mopti.

In July 2021, a unit of the anticriminality brigade of the National Police allegedly shot and killed Abdoulaye Keita, age 17, in Bamako. The incident prompted protests in the Lafiabougou neighborhood and led to the arrest of six police officers for homicide. In May, the police officers were conditionally released. As of November, the Commune IV Tribunal of High Instance in Bamako continued investigating the case.

Attacks by extremist groups and criminal elements against civilians and the armed forces occurred in all regions of the country. Extremist groups frequently employed improvised explosive devices (IEDs) to target civilians as well as government and international security forces. IEDs were also used repeatedly to target important infrastructure, including major national roads, cutting off communities from humanitarian assistance, important trade routes, and security forces. For example, according to the UN secretary general, from July 2021 to May 13, extremist armed groups attacks on the armed forces resulted in 205 civilian and armed forces deaths, and IEDs killed 12 MINUSMA peacekeepers. According to the UN Mine Action Service, as of October 31, 63 IEDs killed 91 individuals; approximately one third of the victims were civilians.

On June 1, unidentified armed individuals used small arms and rocket launchers to attack a MINUSMA logistics convoy near the town of Kidal. The attack killed one Jordanian peacekeeper.

Terrorist groups, other armed groups, and ethnic militias committed numerous arbitrary killings related to the internal conflict. According to a March UN secretary general report, at least 55 attacks targeted national and international forces, resulting in the killing of at least 41 of the country's soldiers. According to a June 2 UN secretary general report, two signatory armed groups to the Algiers Accord, Platform of Movements (Platform), and the Coordination of Azawad Movements (CMA), as well as other armed groups, were allegedly responsible for numerous killings.

According to the transition government, between June 18 and 19, a JNIM subsidiary, Katiba Macina, killed 132 civilians in Diallassagou, Dianweli, and Deguessagou in the Mopti region. After conducting investigations in late June, MINUSMA confirmed an attack by presumed JNIM elements occurred on June 18 in Diallassagou. MINUSMA was not able to confirm the number of civilians killed.

## **b. Disappearance**

There were numerous reports of disappearances carried out by government security forces in the central and northern regions of the country. MINUSMA's HRPD reported security forces were responsible for 86 forced disappearances or kidnappings between January and September.

Witnesses provided HRW with the names of 40 men arrested since January during military patrols and operations in the Segou region who had subsequently disappeared.

Human rights observers reported they were unable to verify the whereabouts of dozens of prisoners purportedly detained in connection with the northern conflict. The limited capacity of the Penitentiary Administration to keep accurate records made it difficult to locate individuals within the country's penal system. Human rights organizations estimated the intelligence service, the National Agency for State Security (ANSE), formerly the General Directorate for State Security, held

approximately 100 unacknowledged detainees. These organizations noted they did not have access to the ANSE's facilities nor to the gendarmerie facilities in Sevaré, which sometimes transferred prisoners to ANSE, to verify the estimates.

Extremist groups also committed numerous disappearances. MINUSMA's HRPD reported from the beginning of the year through June it had observed an increase in cases of kidnapping in Menaka, sometimes followed by ransom demands, in a security context that remained volatile. These abductions were allegedly perpetrated by various actors, some of whom allegedly collaborated with JNIM and other armed groups. For example, MINUSMA's HRPD reported the ethnic self-defense militia Dan Na Ambassagou (DNA) on September 12 abducted at least 23 civilians in Were village in the Bandiagara region.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, but reports indicated the armed forces employed these tactics against individuals with suspected links to extremist groups, including groups affiliated with JNIM (see section 1.g.).

In March, the UN secretary general noted 13 instances of torture or cruel and inhuman treatment committed by security forces during the first three months of the year.

On August 15, UN independent expert Alioune Tine reported victim accounts of torture and ill treatment committed by security forces (see section 1.g.).

In February, Reporters Without Borders (RSF) reported journalist Birama Toure probably died in 2016 after being tortured, mutilated, and raped by the state intelligence services. Prior to his disappearance, Toure had been investigating corruption cases allegedly implicating Karim Keita, son of former president Keita. RSF reported the journalist most likely died because of this abuse in custody while being held incommunicado for several months. *Le Sphinx*, the newspaper employing Toure prior to his disappearance, criticized the slow pace of investigation and prosecution related to the case.

The UN secretary general in March also noted instances of torture or cruel and inhuman treatment abuses by armed groups, militias, violent extremists, and unidentified armed actors. Victims of hereditary slavery and formerly enslaved persons were frequently subjected to torture by former slave owners; the transition government charged several former slaveowners and perpetrators of torture with crimes against formerly enslaved persons (see section 6, Systemic Racial or Ethnic Violence and Discrimination).

Impunity was a significant problem in the security forces, including the armed forces, according to allegations from Amnesty International, MINUSMA's HRPD, and various nongovernmental organizations (NGOs). The Ministry of Defense reportedly ordered investigations into several of the allegations made against the armed forces, but the government provided limited information regarding the scope, progress, or findings of these investigations. The lack of transparency in the investigative process, the extended length of time required to complete an investigation, the absence of security force prosecutions for human rights abuses, and limited public knowledge of the outcome of the few cases carried to trial all contributed to impunity. Human rights organizations reported insecurity and a lack of political will were the largest obstacles to fighting impunity.

Authorities repeatedly denied requests for MINUSMA human rights investigators to visit Moura, Hombori, and other sites of operations involving allegations of human rights abuses attributed to the armed forces and in some cases, Wagner Group forces. In collaboration with the armed forces, MINUSMA's HRPD held three human rights train-the-trainer sessions with 81 armed forces, national police, and gendarmerie officers.

### **Prison and Detention Center Conditions**

Prison and detention center conditions improved. The transition government reorganized 52 of the 60 prisons in the country. Prison conditions remained harsh and life-threatening, however, due to overcrowding, inadequate sanitary conditions, and inadequate medical care.

**Abusive Physical Conditions:** As of August, Bamako Central Prison held 3,305 prisoners in a facility designed to hold 400. There was also significant

overcrowding at other prisons. Gendarmerie and police detention centers were at maximum capacity at year's end.

Detainees were separated by age (adults or children), gender, and offense type (terrorist or criminal). There were no separate holding areas for women and children in police stations. Prison authorities held pretrial detainees with convicted prisoners. The combination of the general security situation and overloaded, inefficient courts worsened already poor prison conditions by increasing the number of pretrial detainees and preventing the release of prisoners who completed their sentences.

Lack of sanitation continued to pose the most significant threat to prisoners' health. Buckets continued to be used as toilets in some prisons. Not all prisoners had access to potable water. Detention conditions were better in Bamako's women's prison than in prisons for men.

As of August, the prison administration reported 20 prisoners and detainees died in custody due to heart attacks, malaria, and anemia. The National Commission for Human Rights (CNDH), an independent entity receiving administrative and budgetary assistance from the Ministry of Justice, attributed the deaths to unhealthy prison conditions. Authorities exhibited a limited ability to control prisons, including prisoner-on-prisoner violence.

The government's Penitentiary Administration monitored prison and detention center conditions. On July 29, the minister of justice instructed all prosecutors and some high-level magistrates to visit prisons to review treatment of prisoners.

**Administration:** Authorities permitted prisoners and detainees to submit complaints, either to the CNDH or the Office of the Ombudsman of the Republic, or to judicial authorities to request investigation of credible allegations of inhuman conditions. Prisoners also made verbal complaints to the CNDH during prison inspections. Judicial authorities sometimes investigated complaints through referral to the Penitentiary Administration.

**Independent Monitoring:** The government permitted visits by human rights monitors and organizations.



The government required NGOs and other monitors to submit a request to the prison director, who then forwarded it to the Ministry of Justice. The Malian Association for Human Rights visited prisons in Kati, where a military detention center was located. Human rights observers with MINUSMA and the International Committee of the Red Cross regularly visited detention centers operated by CMA in Kidal. International human rights and humanitarian organizations had access to most of these centers but not to detainees held in facilities operated by the ANSE. International organizations reported they could access detention centers in Bamako but had little to no access to prisons in the center of the country.

The CNDH visited prisons to review conditions. The law allows the CNDH to visit prisons without seeking prior permission from prison authorities, although its last visit to a military detention center monitored by the ANSE occurred in 2012 despite several subsequent requests to visit.

**Improvements:** In the 52 reorganized prisons, authorities created more spacious cells and installed toilets. Prison food improved in both quality and quantity in these prisons, and prison and hygiene and medical facilities also improved. A new prison facility in Kenioroba, 30 miles south of Bamako, had electricity, adequate water access, and more furnishings than older prisons.

#### **d. Arbitrary Arrest or Detention**

The constitution and law generally prohibit arbitrary arrest and detention. Nevertheless, government security forces arbitrarily arrested and unlawfully detained numerous individuals. Platform, CMA, and terrorist armed groups unlawfully detained individuals in connection with the continued conflict in the northern and central regions (see section 1.g.).

The law allows detainees to challenge the legal basis or the arbitrary nature of their detention in court. Individuals were generally released promptly if their detention was determined to have been arbitrary. According to UN reporting, the right to due process of individuals arrested or detained in connection with alleged terrorism-related offenses “remained under significant strain.”

## **Arrest Procedures and Treatment of Detainees**

The law requires judicial warrants for arrest. It also requires police charge suspects or release them within 48 hours of arrest. Although police usually secured warrants based on sufficient evidence and through issuance by a duly authorized official, these procedures were not always followed. The law provides for the transfer of detainees from police stations to the prosecutor's office within 72 hours of arrest, but authorities sometimes held detainees longer in police stations. Detainees have a limited right to bail, but authorities often granted conditional release for minor crimes and civil matters. Authorities occasionally released defendants on their own recognizance. While an accused person may request conditional release, lawyers stated conditional release for more serious crimes was often not granted even when legal requirements were met. Moreover, even when a court decided to grant conditional release or acquitted an accused person, the prosecutor could appeal the decision, automatically suspending the court's orders.

Detainees have the right to a lawyer of their choice or, if they cannot afford one, to a state-provided lawyer. Detainees were typically granted prompt access to their lawyers. Nevertheless, a shortage of private attorneys, particularly outside Bamako and Mopti, often prevented access to legal representation.

In many cases gendarmes detained suspects on ANSE orders and then transferred them for questioning to the ANSE, which generally held suspects for hours or days. Due to the country's size, long travel times, and poor road conditions, the transfer process itself sometimes took more than a week, during which security services did not inform detainees of the charges against them. Authorities did not provide released detainees with transport back to the location of their arrest, trips often requiring several days.

**Arbitrary Arrest:** Human rights organizations reported widespread allegations of arbitrary arrest and detention by transition government security forces, armed groups, and terrorist groups. Detentions often occurred in the wake of attacks by bandits or terrorists and were targeted against members of the ethnic group suspected of carrying out the attacks.

HRW reported in January security forces arrested economics professor Etienne Fakaba Sissoko for alleged subversive speech. Sissoko said prosecutors charged him with ethnic discrimination, apparently based on his comments that government appointments were based on ethnicity, and of falsifying university diplomas. Observers said these charges were a pretext to silence him. Authorities conditionally released him in June pending further investigation, but he remained banned from travel.

On July 10, transition authorities detained 49 Ivoirian soldiers on suspicion of being mercenaries when they arrived as part of a private contract supporting German MINUSMA peacekeepers. On August 14, counterterrorism prosecutor Samba Sissoko announced the Ivoirians were charged with “criminal association, attack and conspiracy against the government, undermining the external security of the state, possession, carrying and transportation of weapons of war and complicity in these crimes.” On August 23, the CNDH visited the Ivorians and recommended authorities better respect the rights of the detained soldiers. On September 3, authorities released three soldiers. On December 30, a Bamako court convicted the 46 detained soldiers and sentenced them to 20 years in prison and a fine of two million CFA (\$3,253) each. Separately, the court convicted in absentia the three soldiers freed in September and sentenced them to death and a fine of 20 million CFA (\$32,530) for the same purported crimes.

According to MINUSMA, having gradually replaced the national government as the de facto authority in the north of the country, the CMA illegally detained and pardoned individuals being held at the Kidal remand center. According to MINUSMA’s HRPD, as of September 30, the CMA held 34 persons in illegal detention in Kidal.

**Pretrial Detention:** There are three categories of chargeable offenses: contraventions, misdemeanors, and felonies. The law provides for trials to occur within prescribed periods of time which vary according to possible sentences for the types of offenses charged.

Despite these legal requirements, pretrial detention beyond legal limits remained a problem. Judicial inefficiency, the large number of detainees, and corruption contributed to excessive pretrial detention. Individuals sometimes remained in

prison for several years before their cases came to trial, in some cases equaling or exceeding the maximum sentence for the alleged crime. As of November, approximately 65 percent of inmates were in pretrial detention.

#### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary and the right to a fair trial, but the executive branch exerted influence over the judicial system. Corruption affected the fairness of trials. According to domestic human rights groups, bribery and influence peddling were widespread in the courts. There were problems enforcing court orders. In the northern and central regions, due to insecurity, judges were sometimes absent from their assigned areas for months at a time. Village chiefs and justices of the peace appointed by the government decided most disputes in rural areas; justices of the peace had investigative, prosecutorial, and judicial functions. In parts of Kidal and Timbuktu, Islamic judges settled local disputes. These traditional systems did not provide the same rights as civil and criminal courts.

#### **Trial Procedures**

The constitution provides for the right to a fair trial, and the judiciary generally tried to enforce this right. Undigitized records and case management systems, security concerns, and political pressure sometimes interfered with or hampered trial processes.

Administrative backlogs and an insufficient number of private attorneys, particularly in rural areas, often prevented prompt access to attorneys.

#### **Political Prisoners and Detainees**

There were reports of two political prisoners or detainees. Local human rights organizations considered the November 2021 arrest and detention of Kassoum Goita and Kalilou Doumbia to be politically motivated. Medical treatment for political prisoners was sometimes delayed or denied. Human rights and humanitarian organizations had inconsistent access to political prisoners relative to other detainees.

## **Civil Judicial Procedures and Remedies**

Individuals and organizations may seek civil remedies for human rights abuses. They may appeal their cases to the Economic Community of West African States (ECOWAS) Court of Justice and the African Court on Human and Peoples' Rights. In cases of hereditary slavery, there were reports civil court orders were sometimes difficult to enforce.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and statutory law prohibit unlawful interference with privacy, family, home, and correspondence, and there were no reports the government failed to respect these prohibitions.

### **g. Conflict-related Abuses**

The military, Wagner Group forces, and several armed groups committed serious human rights abuses in the northern and central parts of the country. In addition to increased attacks in the center of the country, targeted and indiscriminate attacks on the civilian population in other parts of the country, notably in the north, significantly increased following the withdrawal of international forces, such as France's Operation Barkhane. These armed groups included former separatist forces such as the National Movement for the Liberation of the Azawad, High Council for the Unity of Azawad, and the Arab Movement of Azawad; northern militias aligned with the government, such as the Movement for the Salvation of Azawad and the Imghad Tuareg and Allies Self-Defense Group (GATIA); and terrorist and violent extremist organizations such as the Islamic State in the Sahel (formerly ISIS in the Greater Sahara) (ISIS-Sahel), JNIM, Macina Liberation Front, and al-Mourabitoun.

Most human rights abuses committed by the military appeared to target Fulani, Tuareg, and Arab individuals and were believed to be either retaliation for attacks attributed to armed groups associated with those ethnicities or the result of increased counterterrorism operations. For example in the March Moura killings, several witnesses and media reported Fulani were specifically targeted based on

their appearance, such as the length of their beards or the types of clothing they wore. MINUSMA's HRPD stated in their January to March report the majority of the victims of abuses attributable to the military were Fulani.

The government failed to pursue and investigate human rights abuses in the north, which was widely controlled by the CMA.

**Killings:** The military, former rebel groups, northern militias whose interests aligned with the government, and terrorist organizations unlawfully killed persons throughout the country, especially in the central and, to a lesser extent, northern regions. Terrorist groups and unidentified individuals or groups carried out many attacks resulting in the deaths of members of the security forces, members of signatory armed groups, UN peacekeepers, and civilians.

Ethnic Fulani in the central Mopti and Segou regions reported killings by government security forces. Following the military operation in March in the weekly Moura market in the Mopti region, the armed forces reported killing at least 203 individuals they considered to be terrorists. In April, HRW estimated as many as 300 civilians killed. In May, MINUSMA's HRPD reported the armed forces killed at least 203 persons in Moura and estimated the number could be more than 500. The transition government announced an investigation into the incidents; citing the extremely dangerous security situation, it indicated MINUSMA's request to conduct a separate investigation would be considered only after the conclusion of its own. The United Nations report was pending as of September.

The armed forces also reported the killing on April 19 of at least 18 individuals they believed to be terrorists in the weekly Hombori market in the central region of Douentza. Media sources reported Russians shot indiscriminately into a livestock fair, killing approximately 20 persons. MINUSMA's HRPD reported the armed forces and "foreign military personnel" killed at least 50 civilians.

Human rights organizations including HRW reported at least 253 civilians were killed in these operations, and MINUSMA noted June 2 it had opened investigations into the incidents in Moura and Hombori due to allegations of summary executions of many civilians (see section 1.a.).

According to the Armed Conflict Locator and Event Data (ACLED) Project, Wagner Group and the military engaged in multiple deadly attacks targeting civilians amid increasing military operations. The Wagner Group targeted civilians in Mopti, Segou, Tombouctou, and Koulikoro regions, core areas of JNIM occupation. As of August 31, ACLED recorded nearly 500 civilian fatalities from these attacks, including the killing in late March of hundreds of civilians in Moura in the Mopti region.

According to MINUSMA, on March 8, the Movement for the Salvation of Azawad of the Dawsahak reported ISIS-Sahel killed at least 12 civilians and four of its combatants in the commune of Tamalelt in the Menaka region.

**Abductions:** Jihadist groups, armed groups associated with the CMA alliance, Platform-associated militias, such as GATIA, and ethnic self-defense militia groups reportedly held hostages. In the central region, the ethnic self-defense militia DNA carried out abductions of civilians from Dogon villages. As of September, dozens of Dogon travelers abducted in November 2021 by jihadist groups in the vicinity of Bankass remained in captivity.

**Physical Abuse, Punishment, and Torture:** Human rights NGOs reported instances of conflict-related physical abuse, torture, rape, and punishment perpetrated by security forces, armed groups, ethnic self-defense groups, and terrorist organizations. For example in August, a UN independent expert personally witnesses the severe abuses including wounds and torture inflicted by government security forces. According to ACLED, 71 percent of Wagner Group political violence took the form of violence targeting civilians

According to *Radio France Internationale* (RFI), in September, Russian mercenaries, likely Wagner Group forces, allegedly committed rape, other sexual violence, and looting in a raid on residents of Nia-Ouro, a village in the center of the country. Women reportedly received orders to go to their homes, where “white men” ordered them to undress while searching their houses. The soldiers took photos of them, sometimes subjecting them to sexual abuse and rape. Armed forces had previously raided the village in January, RFI reported. As of year’s end, authorities did not respond to the allegations.

**Child Soldiers:** The U.S. Government has determined that Mali had or used child soldiers from March 2021 to March 2022. Please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/trafficking-in-persons-report/](http://www.state.gov/trafficking-in-persons-report/).

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media, but the government occasionally restricted this right. Independent media were active and expressed a wide variety of views with some restrictions.

**Freedom of Expression:** Individuals could criticize the government, but only within prescribed limits.

The UN independent expert on the human rights situation in Mali, CNDH, and numerous freedom of expression organizations expressed serious concern regarding the narrowing of civic space and democratic debate, as well as restrictions on the exercise of public freedoms (see section 1.d., Arbitrary Arrest).

According to HRW, authorities in May arrested four women, Sara Yara, Ramata Diabate, Dede Cisse, and Amy Cisse, for their alleged involvement with a Facebook blog post criticizing the head of the state security service. Charged with cybercrimes, authorities held the women in detention despite a judge's ruling in June ordering their conditional release. On September 2, authorities conditionally released three of the four women pending trial.

**Violence and Harassment:** In Bamako and the rest of the south there were sporadic reports of threats against journalists, including those who criticized transition authorities, and authorities sometimes arrested journalists, bloggers, and radio announcers. Reporting on the situation in the north and the fight against terrorism remained dangerous topics due to the presence of active armed groups.

Unknown parties also harassed journalists. For example on June 4, unidentified



assailants broke the windows of independent journalist Malick Konate's car. HRW reported Konate had received dozens of online threats and harassment for his reporting for RFI and his political commentary on television and social media, accusing him of being pro-French and against the transition government.

As of August, French journalist Olivier Dubois and local journalists Hamadoun Nialibouly and Moussa M'Bana Dicko, who were abducted in April 2021, remained in captivity, likely with JNIM.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** On March 16, the transition government announced the suspension of all broadcasts of RFI and *France 24*, as well as a ban on news websites and local newspapers rebroadcasting or publishing content from these two outlets. The government stated the suspension was necessary in light of "false allegations" concerning human rights abuses by the military. International human rights organizations, UN experts, and civil society organizations raised concerns regarding this increased media censorship and attempt to suppress freedom of speech. During a press conference held on April 14, the president of the Maison de la Presse, an independent umbrella organization overseeing media outlets, urged the transition president to listen to voices of dissent and avoid divisive political rhetoric. On April 27, the High Authority for Communication (HAC) announced those suspensions would be "definitive."

In August, a UN independent expert deplored the censorship and self-censorship of media.

On September 30, independent *Joliba TV News* criticized the interim prime minister's "inflammatory" speech at the UN General Assembly. On October 12, the HAC warned *Joliba TV News* of its "defamatory and baseless accusations." On November 3, after *Joliba TV News* reportedly ignored a summons to explain its reporting, the HAC suspended the news outlet for two months for "misconduct and violation of ethical standards." The HAC lifted the suspension one month earlier than expected on December 1.

**Libel/Slander Laws:** The law imposes fines and prison sentences for defamation.

In December 2021, gendarmes arrested the leader of the African Solidarity for

Democracy and Independence political party, Oumar Mariko, and activist Boubacar Soumaoro for “insulting” Transition Prime Minister Maiga in a WhatsApp audio message and for spreading the message on social media. The prosecutor’s office conditionally released them on January 4. Mariko left the country following threats of arrest regarding comments he made on April 2 accusing the armed forces of human rights abuses in the March operation in Moura (see section 1.a.). The court scheduled December 28 hearings for Mariko and Soumaoro.

**National Security:** The law criminalizes offenses such as undermining state security, demoralizing the armed forces, offending the head of state, sedition, and consorting with the enemy.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports suggesting the government monitored private online communications without appropriate legal authority.

## **b. Freedoms of Peaceful Assembly and Association**

The government limited freedom of peaceful assembly. Although it generally respected freedom of association, the government restricted it for the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community.

### **Freedom of Peaceful Assembly**

The law provides for freedom of assembly, but the government did not always respect this freedom. In June for example, citing insecurity, the government denied authorization for an umbrella organization of Muslim associations to hold a demonstration to denounce the poor conditions (a lack of libraries, study material, and unsafe roads) facing students at the University of Bamako.

### **Freedom of Association**

The law provides for freedom of association, although the law prohibits associations deemed immoral. The government generally respected freedom of association, but not for the LGBTQI+ community. LGBTQI+ organizations

remained vulnerable to marginalization and harassment.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport](http://www.state.gov/religiousfreedomreport).

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

**In-country Movement:** While in-country movement was not formally restricted, the military and some militias established checkpoints, ostensibly to maintain security. Some international organizations reported humanitarian access grew more difficult in the center of the country where the armed forces conducted military operations. The unstable security situation, armed groups' targeting of infrastructure such as bridges, and embargos by armed groups on cities such as Boni and Marebougou also limited freedom of movement. The inhabitants of Gao, Kidal, Timbuktu, and parts of Mopti feared leaving the cities for security reasons, including the threat from IEDs (see section 1.g.).

According to a MINUSMA report on June 8, terrorist groups starting May 25 prevented public and private transportation vehicles from travelling on the main Sevaré to Gao national road and imposed an embargo on the towns of Boni, Banaga, and Nissanata. The ban was lifted in August following negotiations between terrorist groups and the population of Boni. MINUSMA and NGOs complained they were often hindered from conducting patrols or carrying out humanitarian missions due to impromptu checkpoints by various militias and armed groups such as the CMA and DNA.

### **e. Protection of Refugees**

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. Insecurity affected the delivery of

humanitarian assistance.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. A national committee in charge of refugees operated with assistance from UNHCR. A steady increase in refugee flows strained already scarce resources dedicated to protecting and caring for refugees.

**Abuse of Migrants and Refugees:** Refugees and migrants regularly transited through contested territory where there was often little government control or oversight, and abuses and violence occurred regularly.

**Durable Solutions:** The government offered naturalization to Mauritanian refugees and supported the voluntary return of refugees from Burkina Faso, Nigeria, and Mauritania. On June 24, the transition government ended *prima facie* refugee status for Ivorians.

**Temporary Protection:** The government's National Directorate for Social Development was responsible for providing temporary protection to individuals who may not qualify as refugees. The National Commission for Refugees adjudicated refugee and asylum claims and provided temporary protection, pending a decision on whether to grant asylum.

## **f. Status and Treatment of Internally Displaced Persons**

The United Nations reported persistent and growing insecurity in the center of the country, which progressively spread south, continued to adversely affect vulnerable populations, and resulted in population displacement with harmful effects on access to basic social services and social safety nets. Insecurity, banditry, ethnic conflict, and intercommunal violence in the north and central parts of the country forced many persons to flee their homes, sometimes seeking refuge outside the country. Regional insecurity, particularly in neighboring Niger and Burkina Faso, led to the returns of some Malian refugees. UNHCR reported 422,620 internally displaced persons (IDPs) in the country as of August 31.

The government registered and assisted IDPs. IDPs generally lived with relatives, friends, or in rented accommodations. Most IDPs resided in urban areas and had

access to food, water, and other forms of assistance. As many as one-half of all displaced families lacked the identity documents needed to facilitate access to public services including schools, although identification was not required for humanitarian assistance. Aid groups provided humanitarian assistance to IDPs residing throughout the country, as access permitted.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

In 2020, the country had a military coup d'état, followed by a civilian-led transition government overthrown by the military in May 2021. In June 2021, a new civilian-led transition government was subsequently formed.

#### **Elections and Political Participation**

**Recent Elections:** The country held presidential elections in 2018, re-electing the late Ibrahim Boubacar Keita in elections international observers considered minimally credible despite some irregularities and violence. Restricted freedom of movement, logistical challenges, and financial limitations prevented many opposition candidates from campaigning in much of the Center and North. Security incidents and lack of accessibility to some polling stations affected voter turnout, which averaged 39 percent in two rounds of voting.

Originally scheduled for 2018, legislative elections were held in 2020, as were subsequent runoff elections. Restricted freedom of movement, logistical challenges, allegations of voter intimidation, election tampering, and financial limitations prevented many opposition candidates from campaigning in much of the central and northern parts of the country. In the months following the legislative elections, the constitutional court vacated key election results, especially in Bamako District, in favor of the then-ruling party. The court's action led to widespread civil unrest and efforts by ECOWAS to resolve the ensuing constitutional crisis. Parliament was dissolved later in 2020 and replaced by an unelected National Transition Council.

**Participation of Women and Members of Minority Groups:** No laws limit

participation of women or members of minority groups in the political process, and they did participate. Cultural or religious factors, however, sometimes limited women's political participation in formal and informal roles due to a perception it was taboo or improper to have women in such roles. LGBTQI+ persons did not openly participate in political parties or public services organizations. The Algiers Accord, meant to address the political demands of historically disadvantaged groups in the north of the country, remained in effect but far from fully implemented.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

**Corruption:** Corruption in all sectors of the administration was widespread. Authorities did not hold police accountable for corruption. Officials, police, and gendarmes frequently extorted bribes.

On May 17, Supreme Court authorities arrested former Minister of Security and Civilian Protection and former Chief of Staff of the Army, General Moussa M'Bemba Keita, and former Director of Material, Fuel and Transportation of the Army, General Moustapha Drabo, along with other army officers, following allegations of corruption and misappropriation of public money intended for the armed forces. On July 28, in the same case, the Supreme Court issued international arrest warrants for former Prime Minister Boubou Cisse, former Minister of Defense Tieman Hubert Coulibaly, former Minister of Economy and Finance Mamadou Igor Diarra, and former chairman of the Malian Bank for Habitat Babaly Bah.

In August 2021, the Supreme Court arrested former Prime Minister Soumeylou Boubeye Maiga and the former Economy and Finance Minister Bouare Fily Sissoko on charges of forgery and falsification, misappropriation of public funds, corruption, abuse of influence, and favoritism. The case remained under

investigation at year's end.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. According to human rights organizations, government and military officials were generally not transparent, cooperative, or responsive to calls for investigations and prosecutions of allegations of human rights abuses by security forces.

**The United Nations or Other International Bodies:** The government occasionally did not cooperate with or permit visits by UN representatives and often did not cooperate with UN investigations. Authorities repeatedly denied requests for MINUSMA human rights investigators to visit Moura, Hombori, and other sites of alleged human rights abuses attributed to the armed forces, and in some cases, to Wagner Group forces. In February, transition authorities denied visas to two members of the UN Panel of Experts. On June 2, the UN secretary general reported restrictions on freedom of movement and the establishment of no-fly zones resulted in 20 denials of flights since April 1, including missions to conduct human rights investigations.

**Government Human Rights Bodies:** CNDH membership included civil society representatives, with budget support, office space, and staff provided by the government. It issued statements on several cases of human rights abuses, including the Moura killings. Observers considered the CNDH to be relatively independent and effective.

The Truth, Justice, and Reconciliation Commission continued to hold hearings on human rights abuses. It took testimony from witnesses to abuses and from experts on justice and reconciliation challenges and offered recommendations for transitional justice measures and improvements in government responses. Observers considered the taking of testimony fulfilled an important task in documenting the history of abuses by security forces, armed groups, and terrorist

organizations, and considered the commission to be relatively independent and effective in its deliberations and observations.

In the commission's fifth public hearing in June, 12 persons, including 10 women and two children, testified on cases of gender-based violence and child abuse. The commission's mandate was scheduled to end on December 31.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalizes rape of women and men, with a penalty of five to 20 years' imprisonment, but the government did not enforce the law effectively. Rape was a widespread problem. Authorities prosecuted only a small percentage of rape cases. Survivors seldom reported rapes due to societal pressure, particularly because attackers were frequently close relatives, and due to the risk of retaliation. No law explicitly prohibits spousal rape, but law enforcement officials stated laws against rape could apply to spousal rape. Police and judicial authorities investigated rape cases but allowed parties to reach private settlements prior to trial. This promoted an environment where survivors might be pressured by family to accept monetary compensation instead of seeking justice through the legal system.

In June, the UN secretary general documented conflict-related sexual violence perpetrated against seven women and two girls in the regions of Douentza, Gao and Timbuktu. The cases included rapes committed by security forces, militia groups, and unidentified armed individuals. A UN center in Gao reported five cases of rape and one case of abduction for sexual purposes against four girls and two women perpetrated by the armed forces and armed groups.

Domestic violence against women, including spousal abuse, was prevalent. The *2018 Mali Demographic and Health Survey* concluded 49 percent of women experienced spousal violence (emotional, physical, or sexual), 43 percent of women ages 15 to 49 experienced physical violence, and one in every eight women experienced sexual violence. Of women who experienced domestic violence, 68 percent never sought help or told anyone.



Spousal abuse is a crime, but the law does not specifically prohibit domestic violence. Assault is punishable by prison terms of one to five years and substantial fines. The sentence may be increased up to 10 years' imprisonment if the assault is found to be premeditated. According to human rights organizations, most cases went unreported because of cultural taboos and a lack of understanding regarding legal recourse. Police were often reluctant to intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands due to financial dependence concerns, or to avoid social stigma, retaliation, or ostracism. The Planning and Statistics Unit in the Ministry of Justice, established to track prosecutions, did not produce reliable statistics.

UNHCR and NGOs serving refugees and asylum seekers reported rising incidences of gender-based violence against refugees, asylum seekers, and IDPs, which they attributed to the deterioration of the protective environment for women and girls.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C is legal in the country, and except in certain northern areas, all religious and ethnic groups practiced it widely, particularly in rural areas. Authorities prohibited the practice in government-funded health centers.

Parents generally had FGM/C performed on girls between ages six months and nine years. According to UNICEF in February, 89 percent of women ages 15 to 49 were circumcised, but this varied widely by geographic location, with rates ranging from 1 percent in Gao and Kidal to more than 96 percent in Sikasso. Most circumcisions occurred prior to age five, and circumcision was almost always performed by a traditional practitioner. Nearly three-quarters of girls younger than age 15 had been circumcised. The prevalence of FGM/C among girls increased substantially with age; while 56 percent of girls younger than age five had undergone FGM/C, 86 percent of girls ages 10 to 14 had undergone the procedure.

Government information campaigns regarding the dangers of FGM/C reached citizens where security allowed, and human rights organizations reported decreased incidence of FGM/C among children of educated parents.

**Sexual Harassment:** The law does not prohibit sexual harassment, which

routinely occurred, including in schools, without any government efforts to prevent it.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Women and girls continued to face cultural and social barriers, such as needing the consent of their husbands and influential members of the household to manage their reproductive health.

Distant health-care facilities and flooded roadways during rainy season negatively affected the ability of those living in rural areas to easily access adequate health care.

In accessing information and services regarding their reproductive health, women with disabilities faced distinct barriers, such as physical barriers to entry into health-care facilities, communication barriers, discriminatory and disrespectful treatment from health-care providers, and the lack of reproductive health information in accessible formats.

While government sexual and reproductive health services, including emergency contraception, were available to survivors of sexual violence, including survivors of conflict-related sexual violence, the services were rarely specialized, and survivors often sought care from general health facilities. The country provided specialized assistance to survivors of gender-based violence, including family planning counseling, at the referral-health-center level via 14 one-stop centers in Bamako, Gao, Mopti, Timbuktu, Kayes, and Koulikoro.

The maternal mortality rate was estimated at 317 per 100,000 live births, and 67 percent of women delivered in health centers assisted by skilled health workers. The key drivers of maternal mortality included poor access to and use of quality prenatal, delivery, and postnatal care services. The primary direct obstetric causes of maternal mortality were hemorrhage (37 percent), eclampsia (11 percent), and sepsis (11 percent). FGM/C was a significant public-health problem contributing to maternal morbidity (see the Female Genital Mutilation/Cutting (FGM/C) subsection for additional information). According to the UN Population Fund, the adolescent birth rate was 164 births per 1,000 girls.

Regarding menstruation or access to menstruation hygiene, sociocultural barriers impeded equal participation of women and girls in society in certain instances. Educational materials on menstrual hygiene management were scarce, and teachers often lacked knowledge on puberty and menstrual hygiene management. In a 2020 NGO study, more than a quarter of girls reported developing an infection related to improper menstrual hygiene, and 14 percent of girls missed classes due to pain during a menstrual cycle. According to the same study, more than half of girls attending school had problems concentrating in class due to managing menstrual periods, and menstruation caused three-quarters of girls to miss school due to the need to go home to change menstrual products to avoid embarrassment.

No law impedes adolescent girls' access to education due to pregnancy or motherhood status. The law allows for the deferment, upon request, of education in secondary school for pregnant students. Many girls and their families were not informed of their rights and social stigma still prevented pregnant girls from attending school. Additionally, if they were mothers, a lack of childcare was a barrier to girls' access to education.

**Discrimination:** The law does not provide the same legal status and rights for women as for men, particularly concerning divorce and inheritance. Women are legally obligated to obey their husbands and are particularly vulnerable in cases of divorce, child custody, and inheritance. There were legal restrictions on women holding employment in the same occupations, tasks, and industries as men. Women had very limited access to legal services due to their lack of education, lack of information, and the prohibitive cost. Despite the discriminatory nature of the law, the government effectively enforced it. The Ministry for the Promotion of Women, Children, and the Family is responsible for providing for the legal rights of women.

While the law provides for equal property rights, traditional practices and ignorance of the law prevented women from taking full advantage of their rights. Marriage contracts must specify if the couple wishes to share estate rights. If marriage certificates of Muslim couples do not specify the type of marriage, judges presume the marriage to be polygynous.

According to MINUSMA, extremist groups were responsible for intimidating,

threatening, and forcing women in the regions of Timbuktu and Mopti to wear veils. According to MIMUSMA's HRPD, on May 9, in the Goundam area of Timbuktu, several women were repeatedly beaten for refusing to wear a veil.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law protects members of racial or ethnic minorities from violence and discrimination, with limited exceptions. With tenuous government control over large areas of the country, authorities struggled to enforce the law effectively.

Societal discrimination continued against Black Tuaregs, often referred to as Bellah. Some Tuareg groups deprived Black Tuaregs of basic civil liberties due to hereditary slavery-like practices and hereditary servitude relationships.

There were continued reports of slaveholders kidnapping the children of their Bellah slavery victims. Slaveholders considered slavery victims and their children as property and reportedly took children of slavery victims to raise them elsewhere without permission from their parents. The antislavery organization Temedt organized workshops in the Kayes region to convince communities to abandon the practice of slavery.

On February 11, according to the Kayes prosecutor, authorities arrested 34 suspects for slavery, assault, and torture in the village of Kenieba, in the Bafoulabe area, and in the Kayes region.

On July 30, residents killed Diogou Sidibe in the village of Lany Mody in the Kayes region for her rejection of her status as a slave, after she won a case at a Kayes tribunal court stating she was not a slave. On August 5, an investigative judge arrested 229 suspects for murder and other charges. Among the imprisoned were the village chief and the village imam. As of October, authorities held approximately 80 persons in prison in the Kayes region for crimes related to hereditary slavery, a significant increase compared with previous years.

Members of the Fulani (or Peul) ethnic group frequently clashed with members of the Dogon and, separately, with Bambara communities regarding alleged Fulani support of armed Islamists linked to al-Qa'ida. According to HRW, this tension caused a continued rise in ethnic self-defense groups, and drove thousands from

their homes, diminished livelihoods, and induced widespread hunger. Groups representing these communities were reportedly involved in several communal attacks, and retaliatory attacks were common.

In the central region, violence across community lines continued to escalate. Clashes between the Dogon and Fulani communities were exacerbated by the presence of extremist groups and resulted in large numbers of civilian deaths (see section 1.g., Killings).

Intercommunal violence related to seasonal migration of cattle and grazing occurred among Dogon, Bambara, and Fulani communities in the Mopti Region, between Bambara and Fulani groups in the Segou Region, and among various Tuareg and Arab groups in the regions of Gao, Timbuktu, and Kidal.

## **Children**

**Birth Registration:** Citizenship is derived from either parent, by birth within the country, or by naturalization. The law stipulates registration within 30 days of birth. A fine may be levied for registration occurring after the 30-day period. Although girls were less likely to be registered, authorities generally adjudicated birth registrations in a nondiscriminatory manner.

The government did not register all births immediately, particularly in rural areas and areas affected by the conflict. Some organizations stated there were insufficient registration sites to accommodate all villages, further exacerbating the low registration rates in certain areas. Lack or inaccessibility of services, lack of birth registration books, and parental ignorance regarding the importance of birth certificates were among the challenges for birth registration.

Several local NGOs worked with foreign partners to register children at birth and to educate parents regarding the benefits of registration, which was critical for access to education and government services. Birth registration also played an essential role in protecting children, as well as facilitating their release and reintegration if recruited by armed groups or detained by authorities.

**Education:** The law provides for tuition-free universal education, and for compulsory schooling of children ages six through 15. Nevertheless, many

children did not attend school. Parents often had to pay their children's school fees as well as provide their uniforms and supplies. Other factors affecting school enrollment included insecurity, long distances to the nearest school, lack of transportation, shortages of teachers, a protracted teachers' strike during the year, shortages of instructional materials, and lack of school feeding programs. Girls' enrollment was lower than boys' at all levels due to poverty, a cultural preference to educate boys, the early marriage of girls, sexual harassment of girls, lack of access to menstruation hygiene, and pregnancy and motherhood status (see section 6, Women, Reproductive Rights).

**Child Abuse:** The law prohibits child abuse. Comprehensive government statistics on child abuse did not exist, but the problem was widespread. Most child abuse cases went unreported. Abuses included recruitment or use of children as soldiers, killing and maiming of children, rape and other sexual violence, abductions, attacks on schools, and denial of humanitarian access to children. Police and the social services department in the Ministry of Solidarity and Humanitarian Action investigated and intervened in some reported cases of child abuse or neglect, but the government provided few services for such children (see section 1.g., Child Soldiers).

**Child, Early, and Forced Marriage:** The minimum age to marry without parental consent is 16 for girls and 18 for boys. A girl age 15 may marry with parental consent and with approval of a civil judge. Authorities did not effectively enforce the law, particularly in rural areas, and child, early, and forced marriage was widespread throughout the country. Girls were also forced into marriage with combatants and leaders of armed groups.

In some regions, especially Kayes and Koulikoro, girls married as young as age 10. It was common practice in those regions for a girl age 14 to marry a man twice her age. According to local human rights organizations, officials frequently accepted false birth certificates or other documents indicating girls younger than age 15 were old enough to marry.

**Sexual Exploitation of Children:** The law prohibits the sexual exploitation of children, including commercial sexual exploitation, although it does not specifically address the sale, grooming, or using of children for commercial

exploitation. A statutory rape law defines 18 as the minimum age for consensual sex. The law, which was inconsistent with the legal minimum marriage age for girls, was not enforced. Sexual exploitation of children occurred. The law prohibits child pornography, but authorities took limited steps to enforce it.

**Displaced Children:** According to UNICEF, children made up approximately 64 percent of IDPs in the country.

## **Antisemitism**

There were fewer than 50 Jews in the country, and there were no reports of antisemitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** The law prohibits conduct pertaining to “attacks on morality.” This vague language is employed to criminalize consensual same-sex sexual conduct between adults. The government disproportionately applied these laws to LGBTQI+ persons. Unlike the previous year, however, there were no known cases of individuals prosecuted under the law.

**Violence against LGBTQI+ Persons:** According to local NGOs focused on human rights, LGBTQI+ persons experienced physical, psychological, and sexual violence, which society viewed as “corrective” punishment. Police frequently refused to intervene when such violence occurred. Anecdotal evidence suggested LGBTQI+ persons were at risk of violence if their status became known.

**Discrimination:** No laws specifically prohibit discrimination based on sexual orientation, gender identity or expression, or sex characteristics; the law does not recognize LGBTQI+ persons, couples, or their families. Most LGBTQI+ persons

isolated themselves and kept their sexual orientation or gender identity hidden. An NGO reported LGBTQI+ persons frequently dropped out of school, left their places of employment, and did not seek medical treatment to hide their identity and avoid social stigmatization.

**Availability of Legal Gender Recognition:** The transition government did not provide a mechanism allowing individuals to either self-identify or to change their gender identity marker on legal and identifying documents, even with the provision of medical or other documentation.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** Local NGOs reported “corrective” rape occurred and police frequently refused to intervene in these instances.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** The government did not register groups specifically designated as LGBTQI+. Organizations working on LGBTQI+ matters feared convening public events due to harassment and threats of violence.

## **Persons with Disabilities**

Persons with disabilities could not access education, public buildings, and transportation on an equal basis with others. Persons with disabilities had access to basic health care. The government did not regularly provide official information and communications in accessible formats. The law does not specifically protect the rights of persons with physical, sensory, intellectual, or mental disabilities to access employment, education, air travel and other transportation, health care, the judicial system, and state services. No law mandates accessibility to public buildings.

Persons with mental disabilities faced social stigmatization in public institutions. Many individuals with disabilities relied on begging.

A June 24 electoral law mandates voting assistance on election day for persons with disabilities.



## **Other Societal Violence or Discrimination**

Discrimination continued against persons with albinism, and the government struggled to implement plans to protect the rights of these persons. Some traditional religious leaders perpetuated the widespread belief that persons with albinism possessed special powers others could extract by bringing a traditional spiritual leader the blood or head of a person with albinism. Lack of understanding of the condition continued and impeded such persons' lack of access to sunblock, without which they were highly susceptible to skin cancer.

Societal discrimination against persons with HIV and AIDS occurred. HIV positivity was often locally perceived to be synonymous with LGBTQI+ identity. The government implemented campaigns to increase awareness of the condition and reduce discrimination against persons with HIV and AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for workers, except members of the armed forces, to form and join independent unions, bargain collectively, and conduct strikes. The law prohibits antiunion discrimination. There are restrictions which limit these rights, such as the requirement workers must be employed in the relevant profession before they may form a union. Members responsible for the administration or management of a union must reside in the country and be free of any criminal convictions that could suspend their right to vote in national elections. The process to register a union was cumbersome and time consuming, and the government sometimes denied trade union registration on arbitrary or ambiguous grounds.

The minister of labor and public service has the sole authority to approve sectoral collective agreements and to decide which unions participate in sectoral collective bargaining. Employers have the discretion to refuse to bargain with representatives of trade unions. The law allows strikes and prohibits retribution against strikers. Unions must exhaust the mandatory conciliation and arbitration procedures in the labor code before they may strike legally. Regulations require civil servants and workers in state-owned enterprises to give two weeks' notice of

a planned strike and to conduct mediation and negotiations with the employer and a third party, usually the Ministry of Labor and Public Service.

The law does not allow workers in essential services sectors to strike, and the minister of labor may order compulsory arbitration for such workers. The law defines essential services more broadly than international labor guidelines, to include services whose interruption would endanger the lives, personal safety, or health of persons; affect the normal operation of the national economy; or affect a vital industrial sector. For example, the law requires striking police to maintain a minimum presence in headquarters and on the street. The government, however, did not maintain a list of essential services.

Participation in an illegal strike is punishable by harsh penalties, including dismissal and loss of other rights except wages and leave.

Civil servants regularly exercised their legal right to strike. Teachers' unions, for example, went on strike frequently to demand better working and living conditions.

Although the law prohibits antiunion discrimination and provides for reinstatement of workers fired for union activity, the government did not effectively enforce relevant laws. Penalties for violating antiunion discrimination provisions were commensurate with penalties for comparable laws but were rarely applied. The Ministry of Labor and Public Service did not conduct adequate inspections or perform mediation. Administrative and judicial procedures were subject to lengthy delays and appeals.

Authorities did not consistently respect freedom of association and the right to collective bargaining, although workers generally exercised these rights. The government did not always respect unions' right to conduct their activities without interference.

Although unions and worker organizations were independent of the government and political parties, they were closely aligned with various political parties or coalitions.

## **b. Prohibition of Forced or Compulsory Labor**

The law does not prohibit and criminalize all forms of forced or compulsory labor, and forced labor occurred. The law prohibits the contractual use of persons without their consent and includes fines and imprisonment with compulsory hard labor. Stakeholders reported forced labor laws did not precisely define hereditary slavery and therefore could not be effectively used to prosecute forced labor cases involving such slavery practices. Penalties may be doubled if a person younger than 15 is involved. Penalties were seldom enforced.

According to NGOs, the judiciary was reluctant to act in forced labor cases. The government made little effort to prevent or eliminate forced labor, although it did allocate funding to its antitrafficking action plan. Government officials reportedly interfered in hereditary slavery cases, threatening and intimidating individuals in an effort to have charges withdrawn or dismissed. Prosecutors charged most hereditary slavery cases as misdemeanor offenses under discrimination, destruction of crops, or burglary statutes, which prescribed significantly lower penalties than those available under the trafficking law.

Most adult forced labor occurred in the agricultural sector, especially rice, cotton, dry cereal, and corn cultivation, and in artisanal gold mining, domestic services, and in other sectors of the informal economy. Forced child labor occurred in the same sectors. Corrupt religious teachers compelled boys into begging and other types of forced labor or service.

The salt mines of Taoudeni in the north subjected men and boys, primarily of Songhai ethnicity, to the longstanding practice of debt bondage. Employers subjected many Black Tuaregs to forced labor and hereditary slavery, particularly in the eastern and northern regions of Gao, Timbuktu, and Kidal (see section 6, Systemic Racial or Ethnic Violence and Discrimination).

See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination in employment and occupation based on race, gender, religion, political opinion, nationality, ethnicity, disability, social status, HIV-positive status, and skin color. It does not address sexual orientation or refugee or stateless status. The government's Labor Inspection Agency is responsible for investigating and preventing discrimination based on race, gender, religion, political opinion, nationality, or ethnicity.

The law was not effectively enforced, penalties were less than penalties related to other civil rights violations, and penalties for violations were rarely enforced.

Discrimination in employment and occupation occurred with respect to gender, sexual orientation, disability, and ethnicity (see section 6). The government was the major formal-sector employer and ostensibly paid women the same as men for similar work, but differences in job descriptions permitted pay inequality. There were legal restrictions on women's employment in dangerous occupations and tasks, and in industries such as mining, construction, and factories. Women are legally prohibited from working on the creation or sale of writing and images considered contrary to good morals. There were cases where employers from southern ethnic groups discriminated against individuals from northern ethnic groups.

Gender-based violence and sexual harassment were prevalent in the workplace. Research published by the Friedrich-Ebert-Stiftung Institute found gender-based violence was an everyday occurrence for women and girls. The COVID-19 pandemic and growing insecurity increased the intensity and frequency of violent acts against women. The institute reported husbands, co-wives, customary chiefs, religious leaders, and women employers of domestic workers were the main perpetrators of violence against girls and women in the central region.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law provides for a national minimum wage of 40,000 CFA francs per month (\$65) in all sectors of the formal economy. The minimum wage was above the World Bank's poverty line for the country. Minimum wage requirements did not apply to workers in the informal and subsistence sectors, which included most workers. In addition to setting a minimum wage, the government mandates employers have a mandatory benefit package including social security and health care.

The legal workweek is 40 hours, except in the agricultural sector, where the legal workweek ranges from 42 to 48 hours, depending on the season. The law requires a weekly 24-hour rest period, and employers must pay workers overtime for additional hours. The law limits overtime to eight hours per week.

**Occupational Safety and Health:** The law provides for a broad range of occupational safety and health (OSH) standards in the workplace, appropriate for the main industries in the country. Workers have the right to remove themselves from work situations endangering health or safety without jeopardy to their employment, and the right to request an investigation by the Social Security Department, which is responsible for recommending remedial action when necessary. Authorities, however, did not effectively protect employees in these situations. OSH experts did not actively identify unsafe conditions, including lack of personal protective gear against COVID-19. Workers often were reluctant to report violations of occupational safety regulations due to the risk of losing their jobs.

Labor organizations reported employers used cyanide and mercury in gold mines, posing a public-health risk to workers exposed to them. Inspectors were unable to assemble credible data on dangerous workplaces. Statistics were unavailable on industrial accidents or workplace deaths.

**Wage, Hour, and OSH Enforcement:** The government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes, such as fraud and negligence. Penalties were rarely applied against violators. The law applies to all workers,

including migrants and domestics, but it was routinely ignored in the informal sector.

The Ministry of Labor and Public Service conducted few surprise or complaint-based inspections. Inspections conducted on oil companies Total, Oryx, and Vivo in Bamako found salaries were below the legal minimum wage and some workers were not registered with the national social security service. Following the inspections, the companies began implementing minimum wage policies and registered workers to receive social security benefits.

The Ministry of Labor and Public Service did not effectively enforce OSH standards, did not employ enough labor inspectors, and the few inspectors it did employ did not conduct adequate field investigations. Many employers did not comply with regulations regarding wages, hours, and social security benefits. The ministry conducted few inspections in the three northern regions, where the government has suspended such services since the 2012 occupation of those regions by armed groups and other organizations. No government agencies provided information on violations or penalties. Labor inspectors made unannounced visits and inspections to worksites mostly after labor unions filed complaints.

**Informal Sector:** Almost 93 percent of workers worked in the informal sector, according to the International Labor Organization. Informal workers were employed in almost every sector of the economy, from subsistence agriculture to cotton farming, market trading, transportation services (including taxi drivers), food and hospitality, door-to-door banking, informal savings associations, and money lending. The worst working conditions existed in the informal sectors of the economy. In small, family-based agricultural endeavors, families worked for little or no remuneration. Employers paid some domestic workers as little as 7,500 CFA francs (\$12) per month, which violated minimum wage laws; employers claimed food and shelter provided to domestic workers were part of their compensation. Victims of hereditary slavery worked without pay in agriculture and domestic work. Violations of overtime laws were common for informal workers in cities, and for rural workers in artisanal gold mines or rice and cotton fields.

Workers in the informal sector and part-time workers are not protected by wage, hour, and occupational safety and health laws and inspections. The government allowed informal workers to join health insurance schemes, but most informal workers were unable to make the required contributions or access benefits. There was no insurance against unemployment or retirement, or other social protections for workers in the informal economy.